

Steinle, Dorothy
13 Partree Rd.
Jackson, N.J.

*BoE Mtg
5/14/75*

Motion was made by Mr. Kull, seconded by Mr. Schue, that the Board of Education adopt the following resolution:

Resolution
Certification
Of Charges
McCabe/vs./
C.S. Raciti
1-Yes; 3-No
2-Abstain

RESOLUTION

WHEREAS, James McCabe, President of the Brick Township Education Association has heretofore preferred charges against the Superintendent of Schools, C. Stephen Raciti, dated November 1, 1972, at which time the said James McCabe was President elect of the said Brick Township Education Association under Kathleen M. Pietrunti, the ~~then President~~ and teacher, discharged for conduct unbecoming a teacher and, insubordination and which discharge was affirmed in the Supreme Court of the United States of America; and

WHEREAS, the said C. Stephen Raciti is a tenured Superintendent of Schools during good behavior and efficiency; and

WHEREAS, said charges have been filed with Hilda M. Barbszis, Secretary of the Board of Education of the School District of the Township of Brick; and

WHEREAS, N.J.S.A. 18A:6-11 requires by a majority vote of the full membership of the said Board of Education has deemed that such charges and evidence in support of said charges which might be sufficient if true, in fact, to warrant reduction in salary or forfeiture of tenure or reduction in rank, if the Commissioner of Education so determines; and

WHEREAS, the Board of Education heretofore had examined the charges and the evidence in support of said charges and had deemed that said charges would not be sufficient if true, in fact, to warrant a dismissal or a reduction in salary under all of the circumstances; and

WHEREAS, the Commissioner of Education in a Petition brought by James McCabe, the within Petitioner, against the Board of Education of the Township of Brick sought to compel the Board of Education to certify said charges to the Commissioner of Education pursuant to N.J.S.A. 18A:6-13 and in which he claimed that the Board of Education would take no action within the 45 days prescribed by N.J.S.A. 18A:6-13; and

WHEREAS, the Commissioner of Education ordered that the Board of Education so certify said charges and which decision was appealed to the State Board of Education and to the Appellate Division of the Superior Court of New Jersey, said State Board of Education affirming the Commissioner of Education's and the Appellate Division in a PER CURIAM decision affirmed both the State Board of Education and the Commissioner of Education; and

WHEREAS, the Board of Education of the School District of the Township of Brick has no basis in law to appeal the unanimous decision of the Appellate Division of the Superior Court of New Jersey;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the School District of the Township of Brick, as follows:

1. The Board of Education of the Township of Brick, pursuant to the Order of the Commissioner of Education and the State Board of Education and the Appellate Division of the Superior Court of the State of New Jersey hereby certify to the Commissioner of Education, the four charges annexed hereto and made a part hereof, for a determination by the Commissioner of Education whether or not said charges would warrant a reduction in salary, forfeiture of tenure or reduction in rank, if sufficient and if proven true in fact.

2. The Board of Education of the School District of the Township of Brick does not suspend the said C. Stephen Raciti and therefore directs that he shall be paid his full salary together with any and all increments, benefits, rights, privileges and immunities pending the final determination or dismissal of said charges.

3. That pursuant to N.J.S.A. 18A:6-15 that a copy of the within resolution be served upon the said C. Stephen Raciti by certified mail.

FOUR ANNEXED CHARGES:

JOSEPH N. DEMPSEY
A Professional Corporation
527 Bangs Avenue
Asbury Park, New Jersey 07712
(201) 774-3434

CHARGES RE CARMEN STEPHEN RACITI - }
SUPERINTENDENT OF SCHOOLS, }
SCHOOL DISTRICT OF THE TOWNSHIP }
OF BRICK, OCEAN COUNTY }

Pursuant to the provisions of N.J.S. 18A:6-10 et seq., the following charges of conduct unbecoming a superintendent and conduct otherwise improper are hereby preferred against Carmen Stephen Raciti, the Superintendent of the Brick Township Public Schools and who is under tenure, to wit:

CHARGE 1

On various occasions Carmen Stephen Raciti, (hereinafter referred to as Raciti), has verbally derogated staff members in a manifestly improper and unprofessional manner which conduct is unbecoming a superintendent.

(a) On or about January 25, 1971, in a discussion with staff member, Anita Fridel, Raciti referred to Joseph Sinkiewicz a teacher in the Brick Township school system as "that punk" and to Andrew McCormack also a teacher in the Brick Township school system as "that boob who walks the hall the first period."

(b) On or about January 25, 1971, Raciti again referring to Mr. McCormack, commented that "he teaches because he can't do anything else," thereby denigrating not only Mr. McCormack but the entire teaching profession.

(c) On or about July 21, 1971 in a discussion with Brick Township Education Association (hereinafter referred to as BTEA) president Kathleen M. Pietrunti, Raciti referred to Board secretary Hilda Barbszis as "that son-of-a-bitch."

(d) On or about May 21, 1971, Raciti in conference meeting with five (5) students of the Brick Township High School about the dismissal of Ronald Heinzman and Jack Hickman derogated the teaching staff of the Brick Township school system by stating that he "inherited 400 bad teachers."

(e) Raciti, in a conversation with George L. Latimer on or about May 19, 1970 made scurrilously improper and libelous allegations against two staff members, Mrs. Anith Friedel and Robert Spade to wit, "...there are two people I would like to get rid of on this staff because they're screwing around...that's Bob and Anita."

(f) On or about January 11, 1971 at a public meeting held for Board of Education candidates, Raciti railed at Robert A. Smith, a Board of Education candidate in an unseemly display of ill temper, repeatedly asserting in a loud voice which could be heard by those assembled, "Bob, you need a shrink." In the lexicon of Raciti, the word "shrink" is a person engaged in the practice of psychiatry and thus be implied that Robert A. Smith was mentally ill.

(g) In January of 1971, Raciti reviled and humiliated Mrs. Bernadette Santora, the mother of Gary Santora, Mr. Smith's campaign manager, by ridiculing her son Gary for his enlightened political views.

(h) On or about January 25, 1971, Raciti, in a conversation with Anith Friedel, commented with reference to high school principal Bart H. Brooks, that "Bart is not a good principal."

(i) In the spring of 1971, Raciti in a conversation with Kathleen M. Pietrunti, criticized the background of assistant superintendent of schools, Warren A. Wolf with the comment "...after all, look at my background and look at Wolf's, they're not the same--that's why my job is so difficult here." Warren Wolf, referred to herein, now occupies the office of Mayor in the Township of Brick and has a long career in school work and public service.

(j) In the fall of 1971, Raciti, in conversation with Arthur Katz, a teacher in the Brick Township school system referred to Kathleen M. Pietrunti, president of the BTEA, as a "bitch" and in strident paranoid terms said: "anyone who fucks me in public gets fucked in return."

CHARGE 2

Carmen Stephen Raciti has demonstrated anti-semitic attitudes and impermissibly bigoted notions in commenting on Jewish staff members, which remarks constitute conduct unbecoming a superintendent.

(a) In discussion with George L. Latimer, chairman of the English department, in the winter of 1969-70, Raciti stated that "...the trouble is we have too many damn Jew women in your department."

(b) In discussion with Kathleen M. Pietrunti in the spring of 1971, Raciti stated that "...these liberal Jews are ruining education."

CHARGE 3

(a) In the winter of 1969, Carmen Stephen Raciti acted to censor the reading curriculum of the Brick Township High School which had been approved by the Board of Education without prior consultation with the chairman of the English department or any members of said department by withdrawing from said curriculum books dealing with the black experience. This act, notwithstanding subsequent ratification by the Brick Township Board of Education, was destructive of the morale of the English department, in particular, and the entire school in general and was a grossly unprofessional and crass display of personal prejudice, which permitted racial predilections to supercede proper educational considerations, thus demonstrating conduct unbecoming a superintendent.

(b) Following the fall of 1971, publication of the Brick Township High School newspaper, The Flame, in which an editorial critical of the work of school security guards was published and a subsequent request by BTEA president-elect James F. McCabe for an investigation of the charges by the Board of Education, Raciti severely castigated and intimidated the student editor of the newspaper for authorizing the editorial in an effort to chill the free expression of legitimate and proper views on the student newspaper.

CHARGE 4

In a manner unbecoming of a superintendent, Carmen Stephen Raciti has interfered with the relation between the Board and the BTEA by departing from the posture of neutrality appropriate to the office of superintendent and has used his office to punish teachers for their activities with BTEA.

(a) Because of their political activity in a campaign in which Raciti supported opposing candidates, and their support of criticism of the administration by the BTEA, Messrs. Ronald H. Heinzman and John M. Hickman were denied a contract for the school year 1971-1972.

(b) Joseph Jardot, because of his activity as chairman of the P.R. & R. (grievance committee), Charles M. McCabe and Helen Kohler, because of their activity as members of the BTEA executive board were refused employment in the summer school program notwithstanding their joint participation in such programs for more than five years prior to membership on the BTEA executive board.

(c) Raciti was responsible for recommending the removal of George L. Latimer from his post of Chairman of the English department after he filed a grievance on behalf of the English department.

(d) Raciti attempted to interfere in the bargaining procedure as defined in PL 303 and by the Public Employment Relations Commission at a critical time by directing a letter dated May 25, 1971 to the executive board and the representative council of BTEA

requesting to meet with them regarding the aforementioned negotiations.

(e) After having been refused a request for a copy of the BTEA Constitution by both president Kathleen M. Pietrunti and president-elect James F. McCabe, Raciti attempted to obtain such copy improperly by importuning Mr. George L. Latimer to obtain the copy for him without knowledge of BTEA or its officers.

(f) On repeated occasions, Raciti has attempted to intimidate Kathleen M. Pietrunti, President of the BTEA in an effort to impair her effective representation of BTEA by threatening to use privileged information from her personnel folder in order to compromise her.

(g) On or about January 25, 1971, Raciti, in a conversation with Anita Friedel attempted to intimidate her with threats expressed by saying, "...you may know something about me and I may know something about you," thereby creating an atmosphere of fear and suspicion.

(h) In an effort to intimidate George L. Latimer, a representative of the BTEA, Raciti addressed a communication in which he signed himself Machiavelli, to Mr. Latimer with the apparent purpose of conveying to Mr. Latimer his acceptance of the principles of Machiavelli in dealing with the teaching staff, namely the unscrupulous use of power through cunning, duplicity and bad faith. In this respect, it is pertinent to observe that the superintendent of schools Raciti, mistakenly believes the principals or absence of them in Machiavelli are appropriate guides for superintendent of schools to follow and frequently likens himself to Machiavelli in his handling of his office.

(i) During the winter of 1971, Raciti, in conversation with staff member Gerald Kohler threatened to reveal materials from the past personal life of Mr. Kohler which had come to his attention in a confidential matter and was thus privileged, because of Mr. Kohler's activities as a representative of the BTEA. Again, when confronted with opposition from staff member Charles Allen Grove in regard to the subject of a dress code, Raciti threatened similar disclosures of privileged, confidential and personal information.

Complainants assert that an administrator found to have committed the offenses set out hereinabove cannot reasonably be expected to carry out the Board of Education's constitutional mandate to operate a thorough and efficient system of public education having created an atmosphere of fear, distrust and conflict between the teaching staff on the one hand, and the Board of Education and its administrators on the other; between teachers and students, and also among the aforementioned groups as well as precipitating considerable community unrest. Inasmuch as the acts alleged can only have been made with premeditation and calculation, complainants urge that these circumstances warrant forfeiture of tenure rights of the superintendent or reduction in pay.

Evidence supportive of the charges alleged hereinabove may be found in addition to the testimony of the witnesses herein named from testimony in the Matter of the Tenure Hearing of Kathleen M. Pietrunti, School District of the Township of Brick, Ocean County, School Law Decision July 19, 1972.